

**Record of the  
Proceedings of the Queensland Parliament**

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**Legislative Assembly  
19<sup>th</sup> July 1860**  
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Extracted from the third party account as published in the  
Moreton Bay Courier 21<sup>st</sup> July 1860

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The Speaker took the chair at a quarter past 3 o'clock and read prayers.

**MESSAGE FROM THE GOVERNOR.**

A message was received from the Governor accompanying supplementary estimates for 1860, which, on the motion of the COLONIAL TREASURER were ordered to be printed, and referred to the Committee of Supply.

**PETITION.**

Mr. FORBES presented a petition from fifty residents in Ipswich, praying that the consideration of the bill for regulating the occupation of unoccupied Crown Lands in the unsettled districts be postponed until time had been afforded to the people of the country generally to express an opinion on the measure, and to state their objections to it.

The petition having been received, notice of motion for the printing of it was given by Mr. FORBES for the following day.

**APPROPRIATION BILL.**

The COLONIAL TREASURER gave notice that he would ask leave on Friday to bring in a bill to authorise the appropriation of certain sums of money out of the consolidated revenue fund for 1860.

**ARMS FOR QUEENSLAND.**

Mr. COXEN gave notice that he would move that an address be presented to the Governor praying that the sum of £3000 be placed on the supplementary estimates for 1860, for the purpose of providing a sufficient stand of arms for Queensland.

**DISCOVERY OF GOLD.**

Mr. RICHARDS gave notice that he would move that the sum of £3000 be placed on the supplementary estimates, as rewards for the discovery of working gold fields in the colony.

**QUESTIONS.**

Mr. FITZSIMMONS asked, pursuant to notice—When will the Colonial Architect be instructed to visit Gladstone and Rockhampton for the purpose of making plans of the works about to be built at those places?

In reply, the COLONIAL SECRETARY stated that it was the intention of the government to despatch the Colonial Architect to the northern districts as soon as he completed certain important works on which he was engaged in Brisbane. He thought, however, that that gentleman could proceed to the northward in about a fortnight.

Mr. FITZSIMMONS asked, pursuant to notice—When will the Engineer of Roads be instructed to visit the district of Port Curtis for the purpose of examining and reporting on the state

of the roads?

The COLONIAL SECRETARY stated in reply that he believed the Engineer of Roads would be ready to accompany the Colonial Architect.

### CORRESPONDENCE.

The COLONIAL SECRETARY laid on the table certain correspondence that had taken place with his Honor Mr. Justice Lutwyche, regarding the Supreme Court, which was ordered to be printed.

### REPORTERS.

Mr. FERRETT gave notice that he would, tomorrow, move a series of resolutions with reference to the conduct of reporters, who gave no proper account of the parliamentary proceedings. (Laughter.)

Mr. BUCKLEY said the notice was irregular, as no hon. member was supposed to be aware of the presence of reporters in the house.

### STEAM COMMUNICATION WITH SINGAPORE.

The COLONIAL SECRETARY moved a series of resolutions in the house, exactly similar to those brought forward by Captain O'Connell in the Connell. He stated that it might reasonably be expected, before entering upon the discussion of so important a question as the one before the house, that the government would have some very reliable information to go upon. In ordinary instances it would be necessary to act only upon good information; but in the present case he thought no time should be lost in eliciting from the house an expression of opinion as to the proper manner of communication with the mother country. He believed that any views agreed to here, favorable to the establishment of steam communication with England via Torres Straits, would be cordially concurred in by the people both of New South Wales and New Zealand. There was a strong feeling in Sydney in favor of this route, and a strong disposition to adopt it. Some were still in favor of the Panama scheme, but he did not think it would recommend itself to the people of Queensland, as there were very many grave objections to it. Hon. members were aware that the contract with the P. and O. Company had been broken through by the company, who found it impossible to carry it out. They had even offered to pay the penalty of £25,000, but the home government, taking the case into consideration, declined to enforce the penalty. It had become a question with the home government what other route or arrangement should be provided; and as the Melbourne government offered to contribute £60,000 per annum towards subsidising a new line proposed by the P. and O. Company, the home government accepted the offer and advanced £60,000 more, which raised the subsidy to £120,000, the amount demanded by the company. The consequence of this new arrangement was that the steamers did not go to Sydney now at all, but remained in Melbourne; and that, whereas formerly the Sydney public had sometimes an opportunity of answering their letters by the return mail, now it was impossible for them to do so. As for the people of Queensland, they had always lost a month, in consequence of the arrangements of the P. and O. Company, in replying to the English letters. It was, therefore, now necessary that the Sydney government should devise some new means of communication, as it had been always necessary in the case of this part of the territory. Many years ago, public attention had been directed to the Torres Straits route; and it was as long since that the public began to entertain favourably proposals that had been made for the establishment of steam communication with the motion country via Torres. In 1846, a subcommittee of the Australian Association in London took evidence and reported upon all the lines of communication with Australia that had been proposed. The Panama route, the routes by the Cape of Good Hope, by Suez and Cape Leuwin, and by Torres Straits, respectively, had all been considered, and the last named was unhesitatingly preferred, as it was the most direct, the most economical, and the least dangerous. With regard to mileage, the Torres Straits route was the shortest of the three great ones that had been proposed, viz., the late line, the Panama line, and the Torres Straits route. From England to Singapore the estimated distance was 8390 miles, from Singapore to Port

Essington 2060, and from Port Essington to Sydney 2340; making a total of 12,790 miles. The hon. member read an extract from the report of the committee, strongly urging the adoption of the route he proposed. He believed it would be much more economical to adopt the northern route, as it would be practicable to employ smaller steamers than those now used for the conveyance of the colonial mails. The waters to be navigated would be less boisterous than the seas at present traversed by the mail steamers, and it had been said by experienced persons that such steamers as those now employed on the line between Brisbane and Sydney would be available for the conveyance of mails to Singapore. As the waters were quiet there would be less danger of accident to machinery, and consequently as there would be fewer accidents, the expenses of the steamers would be considerably reduced. As to the expense of the line to the government, he did not believe the subsidy that would be required would be greater than what was lately paid to the P. and O. Company; indeed, he considered they might reasonably anticipate that it would be much lower. He had not learned from the New South Wales government what proportion of the late subsidy was payable by this colony; but it had been proposed to make the amount proportionate to the correspondence, and on this understanding the amount due by this colony would be but trifling. A writer on the question of the Torres Straits route computed the cost of conveyance of mails between Sydney and Singapore at £50,000 per annum, and as Queensland contained about a tenth of the population of the three colonies of New South Wales, New Zealand, and Queensland, if the cost of the subsidy were divided between the three, the proportion payable by this colony would be below what it was now. He hoped Queensland would soon have a steam fleet of its own, and that we should not be long dependent on a New South Wales company. He thought, however, that the house would agree with him in thinking that measures should be taken at once to secure the co-operation of New South Wales and New Zealand in carrying out the objects indicated by his resolutions. It might be regarded as a singular circumstance that this question should have been revived after it had lain dormant for so many years just at the time when, by the labors of Captain Denham, a secure passage had been discovered for ships through Torres Straits. He thought it would not be necessary for the mail steamers to avail themselves of the outer passage that had been discovered so recently, as the one hitherto used was shorter and equally safe to skilful captains. It would be a question for after consideration what would be the extent of lighting required to render the navigation perfectly safe, and whether dues should be demanded from ships availing themselves of the passage for lighting and beacons. No one could doubt that great advantages would accrue to this colony from the adoption of the proposed route. It might be that they would have to wait for two years for any apparent practical benefit; but in his opinion the colonists of Queensland would be gainers from the very first. This port being the first for arrival and the last for departure of homeward bound steamers, great commercial advantages would accrue to the community; and he desired to recommend the resolutions to the house because of the important results that would inevitably follow their adoption.

The ATTORNEY-GENERAL seconded the motion.

Mr. BUCKLEY thought the principle involved in the resolutions was one of such importance as to call for an expression of opinion on the part of the house. For his own part he accorded to them his entire approval, as he was firmly persuaded that the line proposed would prove peculiarly beneficial to Queensland. At all events he thought they ought to give it a trial, even if it should be found that they had paid too dear for their whistle. (Hear, hear.)

Mr. RAFF expressed himself to the same effect, but was nevertheless of opinion that with the class of steamers proposed to be employed by the Colonial Secretary, £40,000 would be sufficient for the service. Such being the case he estimated that our share of the subsidy would be about £5000.

Mr. FORBES also supported the motion. He had always been of opinion that the shortest line of steam postal communication was by Torres Straits, and Captain Denham's explorations had confirmed him in the belief. Having made the voyage himself, he could bear testimony to the fact that small steamers could perform the voyage just as efficiently as large ones. He was further

of opinion that an arrangement might be entered into with the A.S.N. Company which would answer all the purposes contemplated.

Mr. GORE remarked that there were two ways in which the project might be carried out, the one by employing steamers to run between these colonies and Singapore, and the other by despatching steamers to meet the Dutch line at Copang. The latter would only involve a distance of 2600 miles, and therefore appeared to be the most eligible.

The COLONIAL SECRETARY, in reply, said he was afraid that the line via Copang would not be so expeditious, owing to the number of correspondences connected with it.

The motion was then put and passed.

### PETITION.

Mr. BROUGHTON presented a petition from Mr. John Smith, of Wivenhoe, praying for the redress of certain grievances relative to the leasing of Crown lands.

Petition received.

### SUPPLY.

The order of the day for the resumption of the committee of supply was postponed until Tuesday next, on the motion of the COLONIAL TREASURER.

### GRAMMAR SCHOOLS BILL.

On the motion of the COLONIAL SECRETARY, the house resolved itself into a committee of the whole for the purpose of considering this bill in detail.

On clause 1, enacting that every district having a population of 1000 shall be entitled, upon £1000 being subscribed, to ask the government for twice the amount, to be paid to trustees for the building of schools so being proposed, Mr. BUCKLEY moved the omission of the number limiting the population. He thought that every facility should be afforded to the establishment of these schools, and if persons in a particular district succeeded in subscribing the amount required by law, he imagined that would be the best test they could have as to the genuineness of the object.

Mr. GORE opposed the amendment, as he conceived it quite possible that a very few persons might raise the money for the sole purpose of ensuring the annual subsidy promised by the bill.

Mr. BLAKENEY expressed a similar opinion, and thought that a smaller number might be determined on.

The COLONIAL SECRETARY pointed out that under the act the government would be at liberty to exercise their discretion as to the assistance required.

Mr. TAYLOR supported the amendment, and regretted to find that the government were just as anxious to deprive the people in the bush of education as they were to deprive them of religion.

Mr. BROUGHTON was inclined to think that a population of 1000 would scarcely be sufficient to supply enough pupils for a grammar school.

The amendment was eventually carried.

The same clause was verbally amended on the motion of Mr. BUCKLEY, and the COLONIAL SECRETARY.

Mr. BROUGHTON moved a proviso at the end of the clause, to the effect that the number of scholars shall not be less than fifty.

Mr. JORDAN thought this was a matter which might be very well left to the subscribers and others interested to determine.

Mr. WATTS opposed the amendment. He could see no reason why 49 children should be

deprived of education simply because there did not happen to be a fiftieth. In Toowoomba, for instance, there might not be the number of pupils suggested, but he was quite satisfied the number was sufficient to warrant the establishment of a grammar school, and he might add, moreover, that those children were of a very superior class. (Laughter.)

Mr. BROUGHTON said he had been misunderstood. He feared that if the bill were passed in its present shape undue advantage of it might be taken by a few wealthy individuals, and he only desired to guard against such a contingency. Two or three gentlemen in an out of the way locality might raise £1000 in order to receive a similar amount from the Government for the erection of a school for the education of their families, and they would receive £500 per annum to endow the school. Such an arrangement would enable two or three squatters to educate their children at a much cheaper rate than at present. He thought, therefore, that no school should be formed where there was not a sufficient number of scholars.

Mr. TAYLOR would oppose any restriction, and hoped that schools would be erected all over the country.

Mr. O'SULLIVAN would support the amendment of Mr. Broughton. He said although the government had power to refuse grants of land to districts in which there was not a sufficient number of children to educate, he would like to see the right in this matter clearly established, and not left optional with the government. It had often been said that the government had power to withhold the exercise of the pre-emptive right, but had they ever done so?

#### MESSAGE FROM LEGISLATIVE COUNCIL.

The Speaker took the chair for a few minutes to receive a message from the Legislative Council, requesting the assent of the Assembly to the Primary Education Bill. The message having been received, the bill was read a first time on the motion of the COLONIAL SECRETARY, ordered to be printed, and to be read a second time on Tuesday next.

#### DEBATE RESUMED.

The Committee having resumed, Mr. MOFFATT said the hon. member for West Moreton had thought it likely that two or three squatters would raise £1000 in order to take advantage of the bill. He thought such a course extremely improbable, as it would be much cheaper for them to have private tutors for their children at home. It was not incumbent on the government to grant the whole sum of £1000 or £2000 to any one school, as the bill allowed them a discretionary power in the matter, and only provided the maximum for grants.

Mr. GORE thought all contingencies such as had been referred to, should be carefully guarded against; at the same time he thought the number 50 far too high.

Mr. BROUGHTON subsequently withdrew his amendment in deference to the evident feeling of the house; more especially as he understood an amendment was to be proposed on the next clause, which would meet his views.

The COLONIAL SECRETARY moved the second clause, providing for the appointment of trustees.

Mr. FORBES moved an amendment to the effect that the trustees should be elected by the subscribers, subject to the approval of the Executive—each subscriber of £10 to have one vote, and an additional one for every £20 subscribed by him, provided that in no cases any subscriber shall have more than three votes.

Mr. BUCKLEY thought the amendment highly objectionable, as if the government were to give large grants of money and land they should have at least a majority of the trustees. He also objected to the suggestion that any subscriber should have more than one vote.

Mr. TAYLOR also opposed the amendment, and would prefer that the government should have the appointment of the whole of the trustees.

The COLONIAL SECRETARY said, as the schools would be established on a government

foundation, he thought the Executive should control the trusteeship.

Mr. FORBES, having withdrawn his amendment, Mr. MOFFATT proposed, that the trustees to be elected by the subscribers should be appointed by the majority, voting by ballot.

Mr. BROUGHTON considered that no person subscribing less than £10 should be entitled to vote.

The ATTORNEY-GENERAL and Mr. LILLEY thought £5 amply sufficient to establish a right to vote, and Mr. MOFFATT having amended his motion to meet this view, it was put and carried.

Mr. FORBES moved another amendment to the effect that subscribers of £30 and upwards should have the privilege of educating their children in the schools at reduced charges until the amount of their subscription was returned to them in fees.

The motion, after some desultory discussion, was put and negatived.

Mr. BROUGHTON proposed that two trustees, one nominated by the government, and one of those elected by the subscribers, should retire by rotation every two years, in order that fresh blood and new vigor might be infused into the institutions at convenient intervals.

Mr. BLAKENEY, Mr. MOFFATT, and Mr. WATTS opposed the amendment, which was supported by Mr. EDMONDSTONE.

The COLONIAL SECRETARY said, however desirable it might be to introduce new blood, it might not be desirable to get rid of good old blood. The experience gained by trustees in two years would be valuable to the schools, and he did not think it ought to be dispensed with without good grounds.

Mr. TAYLOR said the bill already sufficiently provided for the appointment of new trustees, for it provided that in the event of any one absenting himself from meetings of the board for any number of times consecutively, he should cease to be a trustee. He thought therefore, judging from his experience in such matters, that it was not improbable that there would be frequent changes in the board.

The house divided on the amendment of Mr. Broughton, which was lost by a majority of 21 to 2, Messrs Broughton and Edmondstone forming the minority.

Mr. FORBES moved in the second clause, that the words "from six consecutive meetings" be omitted, and the words "six months from" be inserted.

The amendment was carried.

The COLONIAL SECRETARY moved an addition to the clause, providing that in the event of the death of the donor or subscribers, the election of trustees should devolve on the nearest municipality to the school, the object being to retain the popular element of election.

Carried.

The clause, as amended, was therefore passed.

On the third clause being proposed,

The COLONIAL SECRETARY moved the insertion of the words, "on condition of the trustees guaranteeing £250 per annum as school fees for three years." The object was to prevent persons from availing themselves of the bonus offered by the act, unless for a bona fide purpose, such as contemplated by the act.

Carried.

On the fourth clause being proposed,

Mr. BLAKENEY moved that the words "ten per cent." be omitted, with a view of substituting the words "five per cent." He further moved that the words "British or" be omitted, so as to confine the operation of the clause to Australian Universities.

After some explanation from the COLONIAL SECRETARY, the amendment was put and negatived, and the clause, as proposed, put and passed.

The COLONIAL SECRETARY then moved the 5th clause, granting a permanent endowment in land to all schools erected under the act.

Mr. BROUGHTON thought the committee ought to be very careful as to how they granted the public lands in perpetuity for purposes of this kind. In the event of the system being abolished, a difficulty might arise on the score of vested interest.

Mr. BUCKLEY moved the insertion of the words "subject to the approval of the legislature."

Mr. TAYLOR was opposed on principle to the granting of land in the manner proposed, more especially as he understood from the Colonial Secretary that the land granted would be nothing but rubbish—mountains and scrub, even without the advantage of fencing, which would cost more than three times the value. If they wished to endow these schools, let them do so in money.

Mr. FORBES was surprised at the observations of the last speaker. In America, 35 per cent of the public lands was allowed for the purposes of public education, and he believed that in no country in the world was education better supported, or more successful.

Mr. LILLEY remarked that the lands were granted with the sole object of making the schools self-supporting, and so soon as that even occurred the pecuniary assistance of the state would cease.

Mr. TAYLOR would like to know when that event was likely to happen. (Laughter.)

The ATTORNEY-GENERAL explained to the same effect as Mr. Lilley, particularly remarking that the hon. member for the Western Downs could not have read the two subsequent clauses, which explained the meaning of the clause under discussion.

Mr. JORDAN spoke in favour of the clause.

After some further discussion the amendment was put and passed.

The clause as amended was eventually carried.

Clause 6 was verbally amended and passed.

Clause 7 was passed without opposition.

In moving the 8th clause the COLONIAL SECRETARY proposed the omission of the words "whether by selection or otherwise," with a view of inserting the words "for the unexpired term of three years such newly appointed trustees to retire with the others."

Carried.

Mr. FORBES moved a further amendment in the 8th clause, namely, "provided always that if any person shall have given or subscribed a sum exceeding £30, a remission of one half the school fees shall be made in his favour until the amount exceeding £30 shall have been repaid."

Carried.

Clause 9, being the last, was passed without alteration.

The house then resumed, and the adoption of the report was fixed as an order of the day for Tuesday next.

### LIEN ON WOOL BILL.

The third reading of this bill, owing to its not having been printed, was postponed until Tuesday next on the motion of the ATTORNEY-GENERAL.

### TENDERS REGULATION BILL.

The COLONIAL SECRETARY moved in consequence of the lateness of the hour (20 minutes past 9 o'clock) that the second reading of the bill be postponed until the next day.

Mr. TAYLOR opposed the adjournment, as did also Mr. HALY, Mr. BLAKENEY, and Mr. WATTS. The ATTORNEY-GENERAL and Mr. MOFFATT supported the adjournment.

The amendment was then withdrawn, and the postponement carried.

### LEAVE OF ABSENCE TO PUBLIC OFFICERS.

Mr. WATTS moved; pursuant to notice—That, in the opinion of this house, it is absolutely necessary that, when a Commissioner of Crown Lands, or any other officer, should obtain leave of absence, an officer should be appointed to do his work for him; that if a Commissioner of Crown Lands, Native Police Officer, or any other officer under the Crown, should absent himself from his district, or duties, without first obtaining leave of absence, he should be dismissed the service. The hon. member said that very great inconvenience had been felt, in the country districts especially, in consequence of government officers leaving their respective places of business without notice, or without providing for the transaction of necessary business in their absence. He thought some wholesome check should be set upon the extravagancies of officers who filled important posts in the country, and who received good salaries for the discharge of government business. To his own knowledge some officers in the interior had been long away from their offices, and when persons came on important business from a long distance they not only found the proper officers gone, but no person in charge able to transact necessary business, and the offices frequently closed altogether. With regard to the Maranoa district the Commissioner of Crown Lands had only held his appointment during two years and a half, but for twelve months of that time he had been absent from his district, for a long period without leave, and the district had suffered considerably in consequence. His resolution did not refer to Commissioners of Crown Lands only, but to clerks of the court, Native Police Officers, and indeed to all paid servants of the Crown. It was not his intention to propose that fair leave of absence should be refused to any officer when properly applied for, but at the same time he thought it highly improper that, in consequence of the granting of such leave, the public should suffer any inconvenience. He thought, therefore, that no leave should be granted unless due provision was made beforehand for the temporary filling up of the vacant office. In the country districts many clerks of petty sessions had been in the habit of shutting up their offices whenever there was no meeting of the court. No summons could be obtained without great trouble or inconvenience, no warrant could be procured; and further inconvenience was occasioned in consequence of these gentlemen having to discharge the duties of land agents. If the money for the purchase of land was not paid in to the agents by a certain day the land was held to be forfeited, and it was therefore absolutely necessary that the proper officers should be always on the spot during regular business hours to receive the purchase money. He knew of one instance in which a gentleman had ridden a considerable distance to pay for the purchase of crown lands, but not finding the clerk at his office, had to wait a considerable time for him, and afterwards had to ride to his residence to settle his business, a considerable distance from the court. In private life no master permitted his servant or his clerk to absent himself from his duties without leave; if he did so he would be dismissed; and he did not see why the same stringent rules should not be adopted with regard to government officers.

Mr. FERRETT seconded the motion.

Mr. TAYLOR supported the resolutions, and stated that he would desire to see the principle laid down in them carried out in every case, except that of the ministers of the Crown.

The COLONIAL SECRETARY assented to the resolutions under certain modifications. He did not think it should be binding on the government to dismiss any gentleman for absenting himself from his post without giving him an opportunity of giving an explanation of his conduct. The government was responsible to the country for the conduct of its officers, and could easily be called to account by the legislature if the business of the different officers was not properly conducted. He thought, therefore, some discretionary power should be permitted to the government. The case alluded to by the hon. member for Drayton and Toowoomba was a glaring one, and had it come under his notice he would have considered it his duty to institute an inquiry, and to dismiss the officer referred to if no satisfactory explanation was given of his conduct. He would be happy to assent to the resolutions if they were only intended to be a guide to the government. After a few remarks from Mr. GORE, and from Mr. WATTS in reply, the question



was put and passed.

#### RESERVOIR AT EAGLE FARM.

The consideration of Mr. Edmondstone's motion with respect to the granting of £100 for fencing in the reservoir at Eagle Farm was postponed till the following day.

The house adjourned, on the motion of the COLONIAL SECRETARY, till 10 a.m. on the following day.